

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

|                                     |   |                          |
|-------------------------------------|---|--------------------------|
| In Re:                              | ) | Chapter 11               |
|                                     | ) |                          |
| ATA HOLDINGS CORP., <u>et al.</u> , | ) | Case No. 04-19866-BHL-11 |
|                                     | ) |                          |
| Debtors.                            | ) | Jointly Administered     |
| _____                               | ) |                          |

**APPEARANCE, NOTICE OF INTERVENTION AND REQUEST FOR SERVICE**

Pursuant to Section 1109(b) of the United States Bankruptcy Code and Rule 9010(b) of the Federal Rules of Bankruptcy Procedure, Stephen Vaccaro of the firm Debevoise & Plimpton LLP, as primary counsel, and Thomas N. Eckerle, as local counsel, hereby enter their appearances on behalf of John Hancock Leasing Corporation (“John Hancock”), a creditor of the debtors in these proceedings. Pursuant to Fed. R. Bankr. P. 2018 and S.D. Ind. B-2018-1, John Hancock also gives notice of its intervention generally in this case.

John Hancock requests that it, its primary counsel, Stephen Vaccaro of the firm Debevoise & Plimpton LLP, and its local counsel, Thomas N. Eckerle, (a) receive service of all notices given under Fed. R. Bankr. P. 2002 and 9007 and all disclosure statements under Fed. R. Bankr. P. 3017, (b) receive all pleadings and documents required to be served by any party with respect to any matter, including, without limitation, applications, schedules, statements, motions, petitions, and other documents, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery service, telephone, facsimile transmission, email or otherwise, and (c) be included on the “intervenor list” maintained by the Bankruptcy Court Clerk as the official distribution list for the debtors in this bankruptcy case. In support of this appearance, notice and request, John Hancock hereby respectfully states as follows:

1. John Hancock is the lessor of a certain Boeing Model 727-290ADV Aircraft (the “Leased Aircraft”) and three Pratt & Whitney Engines (the “Leased Engines”) to ATA, as lessee, under a certain Aircraft Sale and Lease Agreement, dated August 15, 1997 (the “Lease”).

2. John Hancock requests that all notices, pleadings and documents referred to above be mailed to its attorneys of record, addressed to:

**Thomas N. Eckerle**  
Thomas N. Eckerle P.C.  
5557 North Meridian Street  
Indianapolis, Indiana 46208-2657  
Telephone: (317) 726-1533  
Facsimile: (317) 257-7623  
Email: [eckerle@laweck.com](mailto:eckerle@laweck.com)

**Stephen Vaccaro**  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 909-7364  
Facsimile: (212) 521-7364  
Email: [svaccaro@debevoise.com](mailto:svaccaro@debevoise.com)

3. This notice shall not affect any right John Hancock otherwise may have (a) to object and not submit to the jurisdiction of the Bankruptcy Court for any particular purpose, matter or proceeding, (b) to have final orders in non-core matters entered only after a de novo review by a District Judge, (c) to trial by jury in any proceeding arising in or related to this case, or (d) to request that the District Court withdraw the reference in any matter or proceeding subject to mandatory or discretionary withdrawal, all of which rights are hereby retained and reserved. Further, John Hancock retains and reserves any and all other rights, claims, actions, setoffs or recoupments to which it is or may become entitled, in law or in equity, with respect to the Leased Aircraft, the Leased Engines, the Lease and the debtors or their assets in the above-referenced case, and retains and reserves any and all rights, claims, actions and remedies it has or may have with respect to all entities other than the debtors.

4. Pursuant to Rule B-2018-1(b) of the Local Rules, this notice shall be deemed granted without separate order of this Court (subject to possible revocation in accordance with the Local Rules), and shall be treated as an appearance for purposes of Fed. R. Bankr. P 9010(b).

5. A Certificate of Service of this Appearance, Notice and Request will be filed as a separate document.

Dated this 28<sup>th</sup> day of April 2005.

Thomas N. Eckerle P.C.

By: /s/ Thomas N. Eckerle  
Thomas N. Eckerle (#6651-49)

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One of the Attorneys for John Hancock